



Memorandum

To: Honorable Mayor Maso and Members of the Frisco City Council

cc: George Purefoy, City Manager
Ron Patterson, Assistant City Manager
Donnie Mayfield, City of Frisco
Cissy Sylo, P.E., Director of Engineering Services

From: John Eaglen, Strategic Services Manager

Date: October 21, 2008

Subject: Consider and act upon adoption of a Resolution authorizing the City Manager to execute Amendment Number One to the Professional Services Agreement by and between the City of Frisco and Alliance Geotechnical Group for construction materials testing and engineering inspections services for the Frisco Sports Village

Action Requested: City Council consideration and approval of a Resolution authorizing the City Manager to execute Amendment Number One to the Professional Services Agreement by and between the City of Frisco and Alliance Geotechnical Group ("Alliance") of Dallas, Texas, reducing the total cost of the Agreement by \$15,026.00, for construction materials testing and engineering inspections services for the Frisco Sports Village.

Background Information: The City Council approved Resolution No. 08-05-122R at their May 20, 2008 meeting, authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Alliance for construction materials testing and engineering inspections services for the Frisco Sports Village Project. The Professional Services Agreement was structured on an hourly cost and a unit cost basis, for an amount not to exceed \$88,926.00.

The City Council approved Resolution No. 08-07-164R, authorizing the City Manager to execute Amendment Number One to the Construction Manager at Risk Agreement by and between the City of Frisco and Sinacola Commercial, Inc. The Amendment established the Guaranteed Maximum Price ("GMP") for the construction of the facility, totaling \$12,001,033.00.

The City solicited proposals from local firms and entered into the Agreement with Alliance prior to the acceptance and approval of the GMP in order to aid the Construction Manager's compliance with the tight Project schedule, and would be able to have Alliance on board upon their start of construction. However, in the course of developing the GMP for the Project, representatives from the City, Sports Village USA, BOKA Powell (Architect for the Project) and Sinacola Commercial engaged in a Value Engineering Process.

As a result of the Value Engineering Process there were components included in the original concept that will not be constructed under the Construction Manager at Risk Agreement with Sinacola Commercial, thus requiring a revision to the Scope of Services established in the Alliance Professional Services Agreement. The Amendment Number One includes the construction materials testing and engineering inspections services required for the construction of Sports Village Road and a portion of John Elliott Road (Task Number One) and for the construction of the Indoor Sports Arena (Task Number Two). Task Number Three (services relating to the construction of another building relative to the Sports Village USA Master Plan) is deleted from the Scope of Services in this Professional Services Agreement. Upon execution of the Amendment Number One, the total cost of the Agreement is for a not to exceed amount of \$73,900.00 (reduction of \$15,026.00).

Alternatives: City Council could consider the following alternatives:

- Approval of a Resolution authorizing the City Manager to execute Amendment Number One to the Professional Services Agreement by and between the City of Frisco and Alliance;
- Input towards the discussion as desired;
- Deny approval of the Resolution and send back to staff with direction.

Financial Considerations: Execution of Amendment Number One reduces the Agreement's Scope of Services, and in turn reduces the total cost of the Agreement by \$15,026.00. With the execution of Amendment Number One the Agreement remains structured on an hourly cost and a unit-cost basis, for an amount not to exceed \$73,900.00. Funding for the Agreement is derived from the following sources:

- \$62,187.21 is funded through the Certificates of Obligation for the respective Project; and
- \$11,712.79 is to be provided by Sports Village USA, LLC to the City upon execution of Amendment Number One as a requirement of the Development Agreement (Resolution No. 07-12-306R) by and between the City of Frisco and Sports Village USA, LLC.

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Resolution – Amendment Number One to Professional Services Agreement

Alliance Geotechnical Group – Frisco Sports Village

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Legal Review: The City Attorney's Office has reviewed and approved both the Resolution and Amendment Number One as to form and legality.

Supporting Documents: Supporting documents include the following items:

- Copy of Project Location Map;
- Copy of Resolution;
- Copy of Amendment Number One to the Professional Services Agreement by and between the City of Frisco and Alliance for construction materials testing and engineering inspections services for the Frisco Sports Village.

Staff Recommendation: Staff recommends placement of this item on the October 21, 2008 City Council meeting agenda to consider and approve a Resolution authorizing the City Manager to execute Amendment Number One to the Professional Services Agreement by and between the City of Frisco and Alliance Geotechnical Group of Dallas, Texas, reducing the cost of the Agreement by \$15,026.00, for construction materials testing and engineering inspections services for the Frisco Sports Village. Staff will be present at the meeting to address the City Council's questions relating to this agenda item.